
Appeal Decision

Site visit made on 15 November 2016

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2nd December 2016

Appeal Ref: APP/C1435/D/16/3155922

5 Meadow Views, Ridgewood, Uckfield, East Sussex TN22 5TL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Julie Tew against the decision of Wealden District Council.
 - The application Ref WD/2016/1333/F, dated 20 May 2016, was refused by notice dated 2 August 2016.
 - The development proposed is to convert garage into a kitchen.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the safety and convenience of users of the adjacent highway network.

Reasons

3. The appeal property is a four bedroom dwelling with an attached single garage and a single off street parking space. It is, therefore, typical of the dwellings in Meadow Views. This modern development has limited opportunities for casual or off street parking and the Council advises that there is a shortfall of five spaces based on the parking calculator associated with the East Sussex County Council Guidance for Parking at New Residential Development (Parking Guidance). That document has been approved as the Highway Authority's guidance for assessing car parking provision at new residential development proposals in East Sussex.
 4. The Council considers that the proposed conversion of the existing garage into a kitchen would result in the loss of a parking space and, therefore, lead to obstructive parking on the highway and make similar proposals difficult to resist in the future. The appellant accepts that local highway conditions are potentially hazardous for pedestrians, vehicles and emergency vehicles. However, the appellant also considers that the existing garage is too small to be used by a modern family car and should not be regarded as a parking space. Reference has been made to the Parking Guidance which advises that garages of less than 3m x 6m should not be counted as parking spaces.
 5. I recognise that the existing garage is quite small and does not accord with the Parking Guidance. Nevertheless, I am not persuaded that it is incapable of accommodating a vehicle, notwithstanding that a large vehicle may be difficult to manoeuvre into the garage. The loss of the garage space would, therefore,
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exacerbate the existing lack of the parking at Meadow Views and pose a risk to highway safety.

6. I am also mindful that planning permissions have been granted for garage conversions at Nos 9 and 12, albeit with compensatory parking. However there are a number of other properties in Meadow Views where compensatory parking would not be available. Allowing the appeal would make it difficult for the Council to resist future proposals for garage conversions at these properties and their cumulative effect would add to the harm I have identified.
7. Therefore, I find that that the proposal would be detrimental to the safety and convenience of users of the adjacent highway network. Consequently, it would conflict with Policies TR3 and TR16 of the Wealden Local Plan 1998 (LP). Together, these policies require development to not create or perpetuate unacceptable traffic conditions and to provide car parking in accordance with the Council's standards. Nor would the proposal accord with the Parking Guidance to the extent that it requires the provision of an optimum level of car parking.
8. The reason for refusal also refers to LP Policy EN27 and Policies SPO13 and WCS14 of the Wealden Core Strategy Local Plan 2013. Policies EN27 is primarily concerned with the layout and design of development, Policy SPO13 deals with design quality and Policy WCS14 sets out a general presumption in favour of sustainable development. As such, these policies add little to my consideration of the main issue in this appeal.

Conclusion

9. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR